

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

KAREN WORYTKO,

Plaintiff,

-against-

ORDER

03-CV-4767 (DRH)(ARL)

COUNTY OF SUFFOLK, et al.,

Defendants.

HURLEY, District Judge:

On April 14, 2009, United States Magistrate Judge Arlene R. Lindsay issued a Report and Recommendation (the “Report”) in this case recommending that plaintiff’s claims be dismissed pursuant to Federal Rule of Civil Procedure 41(b) or, in the alternative, that discovery be closed and that this case marked as trial ready. More than ten days have elapsed since service of the Report and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report for clear error. The Court finds no clear error and therefore adopts the Report as if set forth herein. For the reasons set forth in the Report, including “plaintiff’s repeated pattern of ignoring the court’s orders and her longstanding delay in prosecuting the case,” the Court adopts Judge Lindsay’s recommendation that plaintiff’s claims be dismissed because “lesser sanctions will merely cause additional prejudice to defendants and wasting of the court’s resources.” (Report at 8.) Accordingly, the Clerk of the Court is hereby directed to dismiss plaintiff’s claims

with prejudice pursuant to Federal Rule of Civil Procedure 41(b) and close the case.

SO ORDERED.

Dated: Central Islip, N.Y.

April 30, 2009

/s_____

Denis R. Hurley,
United States District Judge